

Approved February 18, 2014

WENHAM BOARD OF SELECTMEN
Meeting of Tuesday, January 7, 2014
Town Hall, 138 Main Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk delivered to all Board members, a meeting of the Board of Selectmen was held on January 7, 2014 at 7 P.M. in the Selectmen Chambers.

With a quorum present, Chairman Whittaker called the Board of Selectmen meeting to order at 7 P.M.

Selectmen Present: Ken Whittaker, Chair; Patrick Wilson, Vice Chair; Jack Wilhelm, Secretary

Also Present: Mark Andrews, Town Administrator; David Genereux, Finance Director; Catherine Tinsley, Minutes Secretary

This meeting was recorded, with permission, by HWCAM.

Public Information

Agenda

CORI Policy

Finance Report – December 2013

Minutes – October 1, November 12, November 26, 2013

Abbreviations used

BOS Board of Selectmen

WELCOME & OVERVIEW OF AGENDA

PUBLIC INPUT

PRESENTATION BY GUESTS

ANNOUNCEMENTS

Mr. Whittaker announced the BOS would resume their regular meeting schedule of the first and third Tuesdays of the month

Mr. Wilson made the following announcements:

- Volunteers are needed to serve on the:
 - Council on Aging
 - Zoning Board of Appeals – Alternate member
- Community Preservation Act (CPA) Funds– Applications for CPA funds must be submitted by January 10, 2014.
- Cable Television License Renewal Public Hearing is January 14, 2014 at 7 PM Wenham Town Hall.
- Wenham Police Department announces the first Citizens Police Academy. The ten week course will be held every Wednesday, starting February 19, 2014 6:30 – 9 PM; applications are available at the Police Department. Participants must be at least 18 years of age

NEW BUSINESS

Mr. Whittaker announced the FY 2015 Budget Process Schedule:

- January 15 Budget binder book overview
- January 21 BOS Budget Overview
- January 22 Joint Meeting BOS/ FinCom
- January 28 Budget Review – Finance Committee / BOS will attend

Dissolve Fall Special Town Meeting (STM)

The Town Moderator, Paul Weaver, and the Town Clerk, Trudy Reid were present. Mr. Weaver stated that the November 5, 2013 STM was adjourned to allow the completion of the ballot question voting. With that process having been completed, he called the November 5, 2013 STM back in session for the purpose of dissolving the meeting.

Vote: Mr. Wilhelm moved, and it was seconded, to dissolve STM being that there is no further business to come before the body of the November 5, 2013 STM. Mr. Wilson seconded and the motion carried unanimously.

Open Annual Town Meeting (ATM) – April 5, 2014

VOTE: Mr. Wilson moved, and it was seconded, to open the ATM Warrant and to vote Saturday, April 5, 2014 as the Town of Wenham's ATM at 1 P.M. The motion carried unanimously.

Ms. Reid announced that nomination papers for elected offices are available at the Town Clerk's office through February 18, 2014 and must be returned with all appropriate signatures by February 18, 2014. The last day to withdraw papers is March 4, 2014.

Recognition of New Provisional Fire Fighters

Fire Chief Blanchard recognized firefighters Michael Allain and Zachary Ingraham for their recent graduation from the Massachusetts Firefighting Academy from which they received their Firefighter I and Firefighter II certifications.

North Shore United Way (NSUW) Program Update

Sarah Bartley, from NSUW, was present and gave an overview of the NSUW web site and talked briefly about connecting NSUW volunteers with local communities. NSUW is made up of eight local North Shore communities. The office is located at 248 Cabot Street in Beverly.

Draft CORI Policy (Criminal Offender Record Information)

Mr. Andrews reviewed that the CORI Registry is available, at no cost, to municipalities to perform background checks for employment, volunteers, or licensing purposes, but the Town is required to have a policy to participate in the program. The BOS had previously been given a draft of such a policy for consideration.

VOTE: Mr. Wilson moved, and it was seconded, to adopt the CORI Policy as written. The motion carried unanimously.

Pedestrian Safety Citation – This agenda item was held.

S.A.F.E. (Student Awareness of Fire Education) Grant Award

Mr. Wilhelm announced that the Massachusetts Executive Office of Public Safety & Security awarded the Wenham Fire Department a \$3,186 grant for the FY 2014 S.A.F.E. and a \$2,518 grant for Senior SAFE. Fire Chief Blanchard was present and talked about the educational programs the grant would fund. He noted that the Senior Safe program is new this year and he worked with COA Director Jim Reynolds on the grant/programs. The Department's full time firefighter will attend a training program to be an instructor for the programs. Senator Bruce Tarr and Representative Brad Hill were recognized for their support of the State funding the grant.

Used Car Sales License Renewal – Applications

34 Arbor Street – Freeman Garage

60 Maple Street – Burnett's Garage

233 Main Street – Fallon's Garage

Mr. Wilson stated that the Wenham Police Department confirmed that the proprietors are adhering to stipulations and constraints consistent with responsible use of the license.

Vote: Mr. Wilson moved, and it was seconded, to approve the used car sales license renewal for Freeman's Garage located at 34 Arbor Street. The motion carried unanimously.

Vote: Mr. Wilson moved, and it was seconded, to approve the used car sales license renewal for Burnett's Garage located at 60 Maple Street. The motion carried unanimously.

Vote: Mr. Wilson moved, and it was seconded, to approve the used car sales license renewal for Fallon's Garage located at 233 Main Street. The motion carried unanimously.

Mr. Wilhelm clarified with Town Counsel that two of these businesses are in residential areas and are "grandfathered" and the discretion of the BOS to approve these licenses is limited to the license issues, noting approving these licenses has been contentious in the past. Mr. Weaver was in the audience and reviewed the history of the licensing with the BOS.

Town Administrator (TA) Job Description – Discussion

Mr. Whittaker began the discussion saying he served on the Government Study Committee (GSC) that over the past two years, reviewed the Town's government including the TA's job description. This Committee's report was released in July 2013 and is on the Town's web site. He stated that he agreed with the committee's conclusion to increase the independent

authority of the TA's office and that the current job description is too general and has areas of uncertainty. The GSC report included suggested bylaws to clarify the responsibilities of the TA, that although he supported, he has found there to be "insufficient political will to carry this forward" at this time, adding that the BOS are not unanimous on bringing this forward. Chairman Whittaker recommended that discussion continue regarding a job description for the TA.

In a side discussion, he stressed that the TA is the Procurement Officer and that all boards, committees, must follow the state's bidding process.

Mr. Wilson recognized the GSC for all their work and agreed that the report needs to be considered for implementation saying that it reinforces the necessity for all departments to follow the same policy and procedures and to raise the level of awareness to facilitate the operations to conduct the Town's business as efficient as possible. He suggested this be taken up again with the GSC for public review and feed back.

Mr. Wilhelm opined that the job description dated 10.6.2009 is comprehensive and dictates that the TA runs the Town subject to approval of the BOS on certain subjects, and stated that he thought this to be sufficient, noting that this description can be modified. He asked that Commissions, Boards, and Committees be advised as to the procurement policy.

Chairman Whittaker reiterated his concern the 2009 job description does not clearly define the TA responsibilities and the TA spends more of his time communicating with the BOS, than necessary. The BOS took no action.

Affordable Housing Trust (AHT)

Mr. Wilson, as representative to the AHT, gave an update of the progress of the Trust, saying the AHT has some limited success increasing the Town's affordable housing by two units.

Josh Anderson, Chair of the AHT was present to talk about the Town's affordable housing, saying that according to the 2010 census, Wenham had 1404 housing units, of which 118 were affordable. This is 8.4 percent of the state's 10 percent goal that when met, exempts town's from 40b projects that otherwise allows the bypassing of local permitting for developments that include affordable units. Due to the limited success of the Trust to increase affordable units, the Trust has changed its goal to increase affordable housing, to provide "gap financing" for affordable housing. It is anticipated that one project that is in the early stages, will likely apply to the Trust for the financing.

Mr. Wilson added that high-density housing development, allowed through MGL Chapter 40b, impacts the Town's resources more than the resources the taxes generate.

Ms. Davis, Cherry Street, questioned the balance of the Trust. Mr. Anderson responded that there is between \$800,000-\$900,000 in the Trust.

REPORTS

Mr. Genereux reported that the Finance Department is in the budget process and working with the departments. Budget books will be prepared by January 15th. Mr. Wilhelm stressed the importance that the department budgets include a narrative.

Mr. Wilson reported that meetings with the Hamilton Wenham Youth Soccer to finalize the lease for the soccer fields at Iron Rail have continued. A recommendation to the BOS is forthcoming at the next meeting. The draft will be provided for review.

MINUTES – October 1, November 12, November 26, 2013

Vote: Mr. Wilson moved, and it was seconded, to approve the minutes of October 1, 2013. The motion carried by majority vote with Mr. Wilhelm not present at that meeting and not voting.

Vote: Mr. Wilson moved, and it was seconded, to approve the minutes of November 12, 2013 as edited. The motion carried by majority vote with Mr. Wilhelm not present at that meeting and not voting.

Vote: Mr. Wilhelm moved, and it was seconded to approve the minutes of December 10, 2013. The motion carried unanimously.

Chairman Whittaker recognized John Clemenzi, Stage Coach Road, who commented that the thirty year long term capital plan was done during his time on the BOS as an exercise to look ahead and plan for large expenses i.e. fire truck, boiler, and building expansions. The plan would allow the Town to generate funds over the years in advance of the expenditure. He noted this also would spread the cost out more fairly to tax payers.

Mr. Wilson responded that a five year plan captures these expenses, noting that the town will most likely need to bond large capital items, and keeping the town at a triple A rating will provide the town with the lowest borrowing rates. Mr. Wilhelm added that even a ten-year plan captures capital needs but if the town is at the levy limit, funding a long-term capital account is not reasonable.

EXECUTIVE SESSION (ES)

VOTE: Mr. Wilson moved AT 8:30 PM, and it was seconded, that the BOS enter into ES. according to Open Meeting Law, M.G.L. c. 30A, §§ 18 (3) To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body, and the chair so declares, and to return to open session for the sole purpose of adjourning. The motion carried unanimously by roll call vote.

The BOS returned to open session at 8:39 P.M.

VOTE: Mr. Wilson moved to adjourn at 8:39 P.M. and it was unanimous to do so.

Respectfully submitted by

Catherine Tinsley